MT LEGISLATIVE HISTORY

Chapter 402 1989

Bill (H) 516 S _____ Original bill & hist. X C

H. Committee on Agriculture, Livestock & Irrigation S. Committee on Agriculture, Livestock & Irrigation

Hearing Date(s)	Feb 13	✓ C	Hearing Date(s)	Mar 13	✓ C
	_____	___ C		Mar 17	✓ C
	_____	___ C		_____	___ C
	_____	___ C		_____	___ C
Date Out	Feb 13	✓ C		Mar 17	✓ C

Did this bill originate in an interim committee? ___ Yes ___ No

Committee _____ Report _____

HOUSE BILL NO. 402

INTRODUCED BY J. BROWN, RICE, MAZUREK, GRADY, O'KEEFE, HARPER, CAMPBELL, VINCENT, MENAHAN, TVEIT, YELLOWTAIL, RASMUSSEN, BENGTSON, PETERSON, BRADLEY, COBB

IN THE HOUSE

JANUARY 24, 1989	INTRODUCED AND REFERRED TO COMMITTEE ON HUMAN SERVICES & AGING.
JANUARY 25, 1989	FIRST READING.
FEBRUARY 4, 1989	COMMITTEE RECOMMEND BILL DO PASS. REPORT ADOPTED.
FEBRUARY 6, 1989	PRINTING REPORT.
FEBRUARY 7, 1989	SECOND READING, DO PASS.
FEBRUARY 8, 1989	ENGROSSING REPORT.
FEBRUARY 9, 1989	THIRD READING, PASSED. AYES, 87; NOES, 13.
	TRANSMITTED TO SENATE.

IN THE SENATE

FEBRUARY 10, 1989	INTRODUCED AND REFERRED TO COMMITTEE ON BUSINESS & INDUSTRY.
	FIRST READING.
FEBRUARY 15, 1989	ON MOTION, REREFERRED TO COMMITTEE ON TAXATION.
MARCH 2, 1989	COMMITTEE RECOMMEND BILL BE CONCURRED IN. REPORT ADOPTED.
MARCH 3, 1989	SECOND READING, CONCURRED IN.
MARCH 6, 1989	THIRD READING, CONCURRED IN. AYES, 45; NOES, 5.
	RETURNED TO HOUSE.

IN THE HOUSE

MARCH 7, 1989 RECEIVED FROM SENATE.

SENT TO ENROLLING.

REPORTED CORRECTLY ENROLLED.

HOUSE BILL NO. 402

INTRODUCED BY J. Brown, Rice, Mercer, Grady, Kitzenberg, Yellowtail, Harper, Campbell, Vaught, Megenhan, Ream, Bengtson, Addison, Bradley

A BILL FOR AN ACT ENTITLED: "AN ACT TO CONTINUE FUNDING FOR THE STATEWIDE GENETICS PROGRAM; TO INCREASE THE FEE ON HEALTH INSURERS; TO APPROPRIATE MONEY FOR THE PROGRAM; AMENDING SECTION 33-2-712, MCA, AND SECTION 7, CHAPTER 554, LAWS OF 1987; AND PROVIDING AN EFFECTIVE DATE AND A TERMINATION DATE."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 33-2-712, MCA, is amended to read:

"33-2-712. (Temporary) Genetics program fee. Except as provided in 33-2-713, for each Montana resident insured under any individual or group disability or health insurance policy on February 1 of each year, the insurer or health service corporation issuing the policy, and the state group health plan provided for in Title 2, chapter 18, part 8, shall pay ~~35~~ 45 cents to the commissioner. The fee must be paid on or before March 1 of each year and be deposited in the general fund. The purpose of the fee is to fund the voluntary statewide genetics program established in 50-19-211. ~~(Terminates--June-30,-1989--see.--7,-Ch.-554,-L.-1987.)~~"

Section 2. Section 7, Chapter 554, Laws of 1987, is amended to read:

"Section 7. Termination. This act terminates on June 30, ~~1989~~ 1991.

NEW SECTION. **Section 3.** Appropriation. There is appropriated from the general fund to the department of health and environmental sciences $688,300 for the biennium ending June 30, 1991, for the purpose of operating the voluntary statewide genetics program established in 50-19-211.

NEW SECTION. **Section 4.** Extension of authority. Any existing authority to make rules on the subject of the provisions of [this act] is extended to the provisions of [this act].

NEW SECTION. **Section 5.** Effective date -- termination. (1) [This act] is effective July 1, 1989.

(2) [This act] terminates June 30, 1991.

-End-

INTRODUCED BILL HB 402

STATE OF MONTANA - FISCAL NOTE
Form BD-15

In compliance with a written request, there is hereby submitted a Fiscal Note for HB402 , as introduced.

DESCRIPTION OF PROPOSED LEGISLATION:

An act to continue funding for the statewide genetics program; to increase the fee on health insurers; to appropriate money for the program; amending Section 33-2-712, MCA, and Section 7, Chapter 554, laws of 1987; and providing an effective date and a termination date.

ASSUMPTIONS:

1. Effective July 1, 1989 and terminates June 30, 1991.
2. The number of Montana residents insured under the State Employee Group Health Insurance Plan will remain unchanged through the next biennium.
3. There are 11,000 health care plan participants under the Board of Regents and the number will remain unchanged through the next biennium.
4. Based on 1988 collections, an estimated 715,000 Montana residents were covered as of February 1, 1988.
5. Due to increasing health insurance costs, the number of covered residents will drop to 705,000 for FY90 and 700,000 for FY91.
6. The Department of Health and Environmental Science grant to Shodair Hospital will equal the revenue received and deposited in the general fund.

FISCAL IMPACT:

	FY90			FY91		
Expenditures:	Current Law	Proposed Law	Difference	Current Law	Proposed Law	Difference
Operating Expenses	$ -0-	$ 16,715	$ 16,715	$ -0-	$ 16,715	$ 16,715
Grants	260,000	317,250	57,250	260,000	315,000	55,000
TOTAL	$260,000	$333,965	$ 73,965	$260,000	$ 331,715	$ 71,715
Funding:						
General Fund	$260,000	$317,250	$ 57,250	$260,000	$ 315,000	$ 55,000
Proprietary	-0-	11,765	11,765	-0-	11,765	11,765
Insurance Account	-0-	4,950	4,950	-0-	4,950	4,950
TOTAL	$260,000	$333,965	$ 73,965	$260,000	$ 331,715	$ 71,715
Revenues:						
General Fund	$ -0-	$317,250	$ 317,250	$ -0-	$ 315,000	$ 315,000

Ray Shackleford 2/1/89
RAY SHACKLEFORD, BUDGET DIRECTOR DATE
OFFICE OF BUDGET AND PROGRAM PLANNING

Jan Brown 2/03/89
JAN BROWN, PRIMARY SPONSOR DATE

Fiscal Note for HB402, as introduced

HB 402

Closing by Sponsor: Rep. Iverson: waived closing.

DISPOSITION OF HOUSE BILL 465

Motion: Rep. Ellison: made the motion "do pass"

Discussion: none

Amendments, Discussion, and Votes: Rep. Ream: made the motion for a "do pass on amendments". Ms. Erickson: Clarified some of the language in the bill in regard to federal bonds. A vote was cast and amendments were passed. (See Standing Committee Report).

Recommendation and Vote: THEREFORE, THE COMMITTEE RECOMMENDS THIS BILL "DO PASS AS AMENDED".

HEARING ON HOUSE BILL 516

Presentation and Opening Statement by Sponsor:

REP. MARIAN HANSON: House District #100. This bill will clarify the responsibility of the adjacent landowners to maintain fences. I have some proposed amendments (See Exhibit #17).

Testifying Proponents and Who They Represent:

Mr. Jerry Jack/ MT. Stockgrowers Assoc., MT. Cattle Women Assoc., Association of State Grazing Districts, Helena

Mr. Les Graham/ Dept. of Livestock, Helena

Proponent Testimony:

Mr. Jack: We rise in support of this bill. We have one concern regarding the topographic constraints. It appears though the amendments offered by Rep. Hanson should address our concerns.

Mr. Graham: (See Exhibit #2)

Testifying Opponents and Who They Represent:

none

Questions From Committee Members:

REP. WESTLAKE: How would this legislation be enforced? REP. HANSON: (Read text, page 1, line 11) Currently, the only recourse for maintaining the fence is persons must notify their neighbor, by registered letter, giving 5 days notice. If they do not want to help you repair the fence, mutually, then you have the right to repair the entire fence. Then

you can go to court and plead your case, asking for restitution.

REP. GUTHRIE: Would there be any differences noted in this bill regarding fencing within a herd district or outside a herd district? MR. GRAHAM: Herd district guidelines can be set within the district itself by their county commissioner. REP. GUTHRIE: Our district has a specific problem. We have dryland farmers that run no livestock and other ranchers that run livestock. The question always seems to arise, who's responsibility is it to maintain the fence? MR. GRAHAM: It would depend on how those specific herd districts are established. It is usually the responsibility to fence livestock out of property, unless that is a pre-agreed situation. REP. GUTHRIE: This is a problem that we are continually faced with. I was hoping this would be addressed in this legislation. MR. GRAHAM: Another area would be subdivisions and housing districts that face this same type of predicament. It might be something we need to look at in the next biennium.

REP. KASTEN: What happens when you get sheep ranchers and cattle ranchers together? There certainly is a difference in the type of fence. REP. HANSON: A legal fence is described in law. It does not distinguish between a horse fence or sheep fence. REP. KASTEN: What is a "legal fence"? REP. HANSON: It is four wires with posts so many feet apart, securely fastened. Or a step-fence. REP. KASTEN: So the livestock person that maintains sheep would not have to maintain anything more than this? REP. HANSON: I don't know. MR. GRAHAM: A legal fence is constructed of at least 3 barbed-wires, tightly stretched, the lowest may not be more than 15-18 inches above the ground. The post must be 20 feet apart or 33 feet apart when two or more stays or pickets are used. There are a variety of definitions. Depending on the type of fence that is being constructed.

Closing by Sponsor:

REP. HANSON: This bill will provide another tool for the person who wants to maintain a fence in good condition. And will provide the landowner with some assistance on the court level.

DISPOSITION OF HOUSE BILL 516

Motion: Rep. Hanson: made the motion "do pass"

Discussion: Rep. Guthrie: I would like to see some type of amendment that will address the issue of herd districts. Rep. Kasten: I don't think this will be an easy law to enforce.

Amendments, Discussion, and Votes: Amendments were discussed among Committee members and a vote was cast. The proposed

amendments passed. (See Standing Committee Report)

Recommendation and Vote: THEREFORE, THE COMMITTEE RECOMMENDS THIS BILL "DO PASS AS AMENDED".

DISPOSITION OF HOUSE BILL 516

Motion: Rep. Hanson: made the motion "do pass"

Discussion: none

Amendments, Discussion, and Votes: Amendments were discussed and a vote was cast. Amendments passed. (See Standing Committee Report)

Recommendation and Vote: THEREFORE, THE COMMITTEE RECOMMENDS THIS BILL "DO PASS AS AMENDED".

HEARING ON HOUSE BILL 509

Presentation and Opening Statement by Sponsor:

REP. FRANCIS BARDANOUVE: House District #16. House bill 509 is the result of concerns by various businesses that have leased land on railroad right-of-way. This bill provides a process for negotiating a settlement should the land be sold from under the lessee. This bill does not attempt to take away anyone's property rights, but to provide a legal means of settling disputes and provide a reasonable settlement.

Testifying Proponents and Who They Represent:

Ms. Kim Enkerud/ MT. Farm Bureau, Women Involved in Farm Economics, MT. Stockgrowers Assoc., Helena

Mr. Dan Place/ businessman, Townsend, MT

MR. Dan Fiest/ MT. Graingrowers Assoc., Great Falls, MT

Mr. Terry Murphy/ MT. Farmers Union

Mr. Bob Stephens/ MT. Graingrowers Association, Helena

Ms. Pam Langley/ MT. Ag Business Association, MT. Grain Elevators Association, Helena

Mr. Steve McCullough/ self, Townsend, MT

Mr. Ted Newman/ MT. Council of Co-ops

Rep. Bert Guthrie/ House District #1

Rep. Francis Koehnke/ House District #32

DAILY ROLL CALL

AGRICULTURE COMMITTEE

50th LEGISLATIVE SESSION -- 1987

Date February 13th

NAME	PRESENT	ABSENT	EXCUSED
Rep. Bob Bachini, Chairman	✓		
Rep. Francis Koehnke, Vice Ch.	✓		
Rep. Gene DeMars	✓		
Rep. Jerry Driscoll	✓		
Rep. Jim Elliot	✓		
Rep. Linda Nelson	✓		
Rep. Bob Ream	✓		
Rep. Don Steppler	✓		
Rep. Vernon Westlake	✓		
Rep. Duane Compton	✓		
Rep. Orval Ellison	✓		
Rep. Bert Guthrie	✓		
Rep. Marian Hanson	✓		
Rep. Harriet Hayne	✓		
Rep. Betty Lou Kasten	✓		
Rep. Vernon Keller	✓		
Rep. John Patterson			

2-14-89
10:32 a.

STANDING COMMITTEE REPORT

February 14, 1989
Page 1 of 1

Mr. Speaker: We, the committee on Agriculture, Livestock, and Irrigation report that House Bill 516 (first reading copy -- white) do pass as amended .

Signed: _____
Bob Bachini, Chairman

And, that such amendments read:

1. Page 2, line 7.
Following: "land."
Insert: "If there is a substantial difference in terrain or topographical features of the land between the coterminous owners, responsibility for maintaining the fence must be determined by mutual agreement with consideration given to factors such as cost and time."

EXHIBIT #2
DATE 2/13/89
HB 516.

H.B. 516

Summary.

The Department of Livestock is interested in this from the standpoint that we are the ones called when problems occur with stray livestock and/or bad fences.

One overall concern we have is that livestock producers be made aware of the fact that somewhere in the future we may lose a court case dealing with livestock on highways. To date, courts have ruled with the producer.

EXHIBIT #17
DATE 2/13/89
HB 516

Amendments to House Bill No. 516
First Reading Copy

Requested by Representative M. Hanson
For the Committee on House Agriculture, Livestock, and Irrigation

Prepared by Connie Erickson
February 13, 1989

1. Page 2, line 7.
Following: "land."
Insert: "If there is a substantial difference in terrain or topographical features of the land between the coterminous owners, responsibility for maintaining the fence must be determined by mutual agreement with consideration given to factors such as cost and time."

VISITORS' REGISTER

Agriculture COMMITTEE

BILL NO. HB 516 DATE February 13th

SPONSOR

NAME (please print)	RESIDENCE	SUPPORT	OPPOSE
Jerry Jack	Mt Stockgrowers	✓ with amendments to consider topography - equal value	

IF YOU CARE TO WRITE COMMENTS, ASK SECRETARY FOR WITNESS STATEMENT FORM.

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

ROLL CALL VOTE

AGRICULTURE, LIVESTOCK & IRRIGATION COMMITTEE

DATE 2/13/89 BILL NO. HB516 NUMBER

NAME	AYE	NAY
BOB BACHINI, CHAIRMAN	✓	
FRANCIS KOEHNKE, VICE CHAIRMAN	✓	
GENE DE MARS	—	✓
JERRY DRISCOLL	✓	
JIM ELLIOT	✓	
LINDA NELSON	✓	
BOB REAM	✓	
DON STEPPLER	—	✓
VERNON WESTLAKE	✓	
DUANE COMPTON	✓	
ORVAL ELLISON	✓	
BERT GUTHRIE	—	✓
MARIAN HANSON	✓	
HARRIET HAYNE	✓	
BETTY LOU KASTEN	—	✓
VERNON KELLER	✓	
JOHN PATTERSON	✓	

TALLY 13 4

Maureen Cleary
~~Mary Lou Schmitz~~
Secretary

BOB BACHINI, Chairman
Chairman

MOTION: Hanson move "do pass"
Hanson move "amend" (17)
Hanson "do pass as amend"

Form CS-31
Rev. 1985

MINUTES

MONTANA SENATE
51st LEGISLATURE - REGULAR SESSION

COMMITTEE ON AGRICULTURE

Call to Order: By Chairman Tom Beck, on March 13, 1989, at 1:00 P.M.

ROLL CALL

Members Present: Senator Hubert Abrams, Senator Gary Aklestad, Senator Esther Bengtson, Senator Gerry Devlin, Senator Jack Galt, Senator Greg Jergeson, Senator Gene Thayer, Senator Bob Williams, and Senator Tom Beck

Members Excused: None

Members Absent: None

Staff Present: Doug Sternberg, Legislative Council

Announcements/Discussion: None

HEARING ON HOUSE BILL 516

Presentation and Opening Statement by Sponsor:

Representative Marian Hanson, House District 100, stated that HB 516 was before the committee two years ago. She stated there had been some changes on page 2, line 7 through 12. This section states when there is a substantial difference in terrain. That was some of the hang up when we were here two years ago and we tried to address the concerns that were brought here last time. This bill will not affect a herd district in any way. It will not affect open range law."

List of Testifying Proponents and What Group They Represent:

Charlie Honencamp representing the RCNG
Tom Hopgood representing Montana Association of Realtors
Jerry Jack representing the Montana Stockgrowers Association, the Montana CattleWomen and WIFE

List of Testifying Opponents and What Group They Represent:

None

Testimony:

Charlie Honencamp stated that he thought this was a good bill. "We have problems with this and I think it should be in the law. People have to tend their fences."

Tom Hopgood - "We are always concerned with rights between private property owners. I support this bill with good common sense to get through a problem."

Jerry Jack - "We rise in support of this bill. I think the added language on page 2, line 7 through 12, provides a good common sense tool that can be relied upon."

John Skufca - See exhibit 1.

Marvin Barber - "We support HB 516."

Valerie Larson - "We support HB 516 and urge you to do pass."

Questions From Committee Members: Senator Aklestad - "I need a little more of an explanation, what is the bill doing." Representative Hanson - "Property owners are mutually bound to maintain boundary fences. However, if you have to go to court, there is no visual proof that you have maintained any part of your fence...If you and your neighbor get along, this bill is not necessary. But, if you and your neighbor can't decide what part of the fence you're going to fix, this bill would decide that."

Senator Aklestad - "Does this apply to all neighbors regardless of whether they have livestock or not?" Representative Hanson - "No. If you decide not to fix your fence--if you are a wheat farmer, the guy along side of your has to maintain that fence if he runs stock. He has to maintain all of that fence until you decide to run livestock."

Senator Aklestad - "Doesn't that only pertain in the areas where there is a herd law?" John Skufca - "In a herd district, the livestock producer maintains the fences."

Senator Beck - "Most of the state has an open range law it has always been my understanding, if you didn't want livestock in your property, you fenced them out. You didn't fence your own in you fenced other peoples out of your property." Representative Hanson - "That is correct. Open range law does not address fence. This is a unwritten one. The only thing in the statutes

that says open range is all areas of the state except what has been fenced. It doesn't address how you maintain that fence at all."

Senator Bengtson - "Is there a penalty?" Representative Hanson - "There is no penalty anywhere addressed."

Senator Bengtson - "This language just tells what your rights are and if it doesn't work out then you take it to court." Representative Hanson - "There are time-frames you have to work on this. If you can't get you neighbor to fence at all, you may send him written notice and within five days you may respond and go in and fix the fence. If he doesn't pay you for fixing the fence, then you take him to court. The same goes for rebuilding a fence, only you have to give written notice of 60 days."

Closing by Sponsor: Representative Hanson - "I feel good fences make good neighbors. I urge you to pass this bill."

HEARING ON HOUSE BILL 542

Presentation and Opening Statement by Sponsor: Representative Guthrie, House District 11, "I am sure that you all aware there are unappropriated waters in the State of Montana. The new filing process, that was initiated in 1973, is to make those unappropriated waters available to new applicants. This includes, not only surface water, but underground water applications. With regards to the surface water in the upper reaches of the Missouri river drainage, I think it is safe to say that the water flow from these drainages in the higher reaches has already been appropriated many times over. As a consequence, there is no surface water available for new applications. This is not necessarily true with the underground water. With the surface water you can see it. With the underground water, it is more difficult to predict where, in what amounts, and in what direction the water flows. The present legislation that it affects and has been since 1973, provides for a proces by which applicants can file on unappropriated waters...What I would like to do with my legislation is to make it more stringent upon the applicant to prove, to the DNRC in the hearing process, that criteria. This, in effect, is putting the burden of proof where is should be with the applicant. As the law stands today, without my bill, what happens is that the applicant appears at the water hearing. The objections are heard, and because the applicant uses `substantial credible evidence', the

ROLL CALL

AGRICULTURE COMMITTEE

DATE 3/13/89

51st LEGISLATIVE SESSION 1989

NAME	PRESENT	ABSENT	EXCUSED
SENATOR HUBERT ABRAMS	✓		
SENATOR GARY AKLESTAD	✓		
SENATOR ESTHER BENGTSON	✓		
SENATOR GERRY DEVLIN	✓		
SENATOR JACK GALT	✓		
SENATOR GREG JERGESON	✓		
SENATOR GENE THAYER	✓		
SENATOR BOB WILLIAMS	✓		
SENATOR TOM BECK	✓		

Each day attach to minutes.

SENATE AGRICULTURE
EXHIBIT NO. 1
DATE 2/13/89
BILL NO. HB 516

H.B. 516

Summary.

The Department of Livestock is interested in this from the standpoint that we are the ones called when problems occur with stray livestock and/or bad fences.

One overall concern we have is that livestock producers be made aware of the fact that somewhere in the future we may lose a court case dealing with livestock on highways. To date, courts have ruled with the producer.

SENATE AGRICULTURE
EXHIBIT NO. 3
DATE 3/13/89
BILL NO. HB 477, 516, 542, 655

BILL SUMMARY--SENATE AGRICULTURE COMMITTEE
MARCH 13, 1989
PREPARED BY DOUG STERNBERG, COMMITTEE STAFF

HB 477 Section 1: increases fee for 1- or 2-year-old off-highway vehicle from $25 to $26; increases fee on all other off-highway vehicles from $15 to $16; allows for remission of the $1 fee increase to the Dept. of Agriculture noxious weed management fund

Section 2: increases annual weed control fee on all motor vehicle registrations from 50 cents to $1.50

Section 3: coordinates HB 477 fee increase with fee increase in HB 165 on off-highway vehicles

Section 4: provides July 1, 1989, effective date

HB 516 Section 1: requires that landowners maintain half of the fence along the land boundary unless otherwise provided; allows for maintenance responsibility by mutual agreement if there is a substantial difference in terrain or topographical features

Section 2: standard saving clause

HB 542 Section 1: requires submission of independent hydrologic or other specific evidence in order to meet the standard of criteria necessary for issuance of a water use permit

Section 2: extends present agency rulemaking authority

Section 3: provides an immediate effective date

HB 655 Section 1: short title

Section 2: outlines purpose and intent of the Smith River Management Act

Section 3: defines "commission" and "department"

Section 4: describes the part of Smith River subject to management under the Act

Section 5: assigns primary management responsibility of the Smith River waterway to the Department of Fish, Wildlife, and Parks; outlines management plan administration

Section 6: grants rulemaking authority to the Fish and Game Commission and outlines topics that rules may address, including implementation of a permit system

Section 7: allocates user fees to the state revenue fund for the use of the Department of Fish, Wildlife, and Parks

Section 8: provides a penalty for violation of a rule adopted under the Act

Section 9: extends present agency rulemaking authority

Section 10: standard severability clause

Section 11: provides immediate effective date

DATE 1/13/89

COMMITTEE ON Agriculture 1 of 2

VISITORS' REGISTER

NAME	REPRESENTING	BILL #	Check One: Support	Check One: Oppose
Kim Emkerud	MT Stockgrowers, Cattlewomen	655	✓	
" "	State Grazing Dist.	477	✓	
Tom Hopgood	Mont Assoc. Realtors	477/516	✓	
John Galvond	WETA	542	✓	
Marvin Barber	~~MPF~~ MPF	542 516	✓ ✓	
John Eckhardt		655		✓
Jack Sedgwick	Livestock	516	✓	
John Skufca	"	"	✓	
Stan Brackman	Trout Unlimited	655	✓	
Linda Ellison	MT Trail Bike Riders Assn	477	✓	
Janet Ellis	Audubon Society	477	✓	
Neil O. Peterson	MT Weed Control Assoc Madison Co Weed	477	✓	
Jerry Jack	MT Stockgrowers, Cattlewomen - Assoc of St. Grazing Dists	516	✓	
Peggy Haagland	MT Assoc of Conservation Dist	477	✓	
Monte Clemson	Livestock	477	✓	
Robert Hanson	Self	655		✓
ELLEN BERG	SELF	655		✓
George Bo[illegible]	self	655		✓
R[illegible] Saunders	Self	655		✓
Dave Pickett	Battle Weed Board	477	✓	
Bob Rose	FWP	655		
Dave Hall	FWP	655		
Valerie Fasso	Farm Bureau	H/477	✓	
Valerie Lagoo	Farm Bureau	H/516	X	
Valerie Lagoo	Farm Bureau	H/542	X	
Kay Wiedenbeck	WIFE	477	X	

(Please leave prepared statement with Secretary)

Senator Aklestad, Senator Jergeson, Senator Williams, and Senator Beck voting no. The motion failed.

Senator Williams moved HB 616 BE CONCURRED IN AS AMENDED; the motion was seconded by Senator Abrams. The motion carried with Senator Devlin, Senator Galt, Senator Jergeson and Senator Thayer voting no. Senator Beck, Senator Bengtson, Senator Aklestad, Senator Abrams, and Senator Williams voting yes.

DISPOSITION OF HOUSE BILL 655

Discussion: Doug Sternberg explained the amendments to HB 655. See exhibit 6.

Senator Aklestad-"The third amendment, page 3, line 14, inserting "recreation"; it seem like recreation was a concern and I see that was just inserting...I have a note that says take section 5 out or kill the bill. I don't see 5 come out, I see it getting coerced around... Are you satisfied with those amendments?"

Senator Galt-"Yes."

Amendments and Votes: Senator Galt moved to amend HB 655; the motion was seconded by Senator Bengtson. The motion carried.

Recommendation and Vote: Senator Bengtson moved HB 655 BE CONCURRED IN AS AMENDED. The motion carried unanimously. Senator Mazurek was assigned to carry the bill.

DISPOSITION OF HOUSE BILL 516

Discussion: None

Amendments and Votes: None

Recommendation and Vote: Senator Bengtson moved HB 516 BE CONCURRED IN. The motion carried. Senator Jenkins was assigned to carry the bill.

DISPOSITION OF HOUSE BILL 707

Discussion: Senator Galt explained the amendments to HB 707. See exhibit 10. Senator Jergeson asked Chairman Beck if he could segregate the amendments Senator Galt explained. Chairman Beck agreed to allow the segregation.

ROLL CALL

AGRICULTURE COMMITTEE

DATE 3/17/89

51st LEGISLATIVE SESSION 1989

NAME	PRESENT	ABSENT	EXCUSED
SENATOR HUBERT ABRAMS	✓		
SENATOR GARY AKLESTAD	✓		
SENATOR ESTHER BENGTSON	✓		
SENATOR GERRY DEVLIN	✓		
SENATOR JACK GALT	✓		
SENATOR GREG JERGESON	✓		
SENATOR GENE THAYER	✓		
SENATOR BOB WILLIAMS	✓		
SENATOR TOM BECK	✓		

Each day attach to minutes.

SENATE STANDING COMMITTEE REPORT

March 17, 1989

MR. PRESIDENT:

We, your committee on Agriculture, Livestock, and Irrigation, having had under consideration HB 516 (third reading copy -- blue), respectfully report that HB 516 be concurred in.

Sponsor: Hanson, M. (Jenkins)

BE CONCURRED IN

Signed: Thomas A. Beck

Thomas A. Beck, Chairman

3/18/89

scrhb516.317